

S. 728

favor making that commodity or product eligible for such an order.

Provides authority to include in marketing orders provisions establishing a method of establishing, by collective bargaining (including provisions for the designation by election of committees of producer representatives to bargain with handlers or groups of handlers), minimum prices and terms and conditions under which handlers may acquire a regulated commodity or product thereof (other than milk and its products) from producers or associations of producers. Provides that the minimum prices and other terms prior to becoming effective would have to be agreed to by the handlers of 50 percent of the commodity and would be subject to approval by the Secretary.

Specifies special pricing standards to be the statutory objective for such price determining purposes if the Secretary finds that parity for a regulated commodity is not adequate. Provides that the alternative pricing standard would take into account factors such as production costs, prices to consumers, and other factors affecting supply and demand for the commodity, including any limitations on marketing that may otherwise be included in the marketing order.

Authorizes the pooling of proceeds of sale of a commodity other than milk when minimum prices are established on a use-classification basis. Provides that if the Secretary found that pooling and producer marketing quotas were necessary in conjunction with pricing provisions to provide equitable distribution of returns and market opportunity among producers, he could require the use of such combined authority.

Authorizes the establishment of minimum pricing for milk through a collective bargaining process.

Adds "species or other classification" after "grade, size, or quality" to make this regulation available by such categories with respect to livestock and other commodities.

Authorizes the Secretary to issue producer allotment bases for any commodity including milk on the basis of: (1) the amount produced or marketed by such producer or from the farm on which he is a producer in a representative prior period, subject to adjustment for abnormal conditions and other factors the Secretary may determine; (2) the current quantities available for marketing by such producer; or (3) any combination of (1) and (2) that will result in the total allotment being apportioned equitably among producers. Provides that a minimum allotment could be fixed for producers whose production does not exceed that amount.

Establishes an administrative procedure, with subsequent court review, for reviewing the lawfulness of a producer's allotment.

Specifies that a handler may not handle more of a producer's allotment base than is authorized to be marketed.

Authorizes the Secretary to establish a producer advisory committee for any commodity to provide advice on starting proceedings to promulgate a new order and formulate specific hearing proposals.

Provides that orders containing price bargaining or producer allotment provisions would impose administrative assessments pro rata on producers, payable through handlers to the agency administering the order. Provides that handlers would have the responsibility of collection from producers.

Makes it clear that the new authorities shall not supersede the provisions of other statutes relating to marketing quotas, acreage allotments or limitations, or price support and that no action taken or any provision of an order issued under the Agricultural Adjustment Act, as reenacted and amended by the Agricultural

Marketing Agreement Act of 1937 and subsequent legislation shall be inconsistent with such other statutes or actions taken by the Secretary thereunder.

S. 728. Mr. Hartke, et al.; 2/10/71. Commerce.

Declares it to be the national policy that special effort should be made to preserve the natural beauty of the countryside, including parks, recreation lands, water resource areas, wildlife and waterfowl areas, and historic sites. Directs the Secretary of Transportation to cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. Provides that after August 23, 1968, the Secretary shall not approve any program or project which has an adverse effect on the environment or requires the use of lands from any park, recreation, wildlife and waterfowl, or water resource area, or any historic site unless: (1) there is no feasible and prudent alternative to the use of such land and (2) such program includes all possible measures to minimize harm to such park, recreational area, water resource area, wildlife and waterfowl area, or historic site resulting from such use. [Amends 49 U.S.C. 1653]

S. 729. Private.

S. 730. Mr. Tower, et al.; 2/10/71. Judiciary.

Gives the consent of Congress to the addition of land to the State of Texas, and ceding jurisdiction to the State of Texas over a certain parcel or tract of land heretofore acquired by the United States of America from the United Mexican States.

S. 731. Mr. Javits, et al.; 2/10/71. Foreign Relations.

Provides rules respecting military hostilities in the absence of a declaration of war.

Permits the Armed Forces, under the President as Commander in Chief, to act to repel a sudden attack against the United States; to repel attack against the Armed Forces on the high seas or while lawfully stationed on foreign territory; to protect United States nationals abroad; and to comply with a national commitment resulting from a treaty, convention or other legislative instrumentality.

Directs the President to report such hostilities to Congress in the absence of a declaration of war, with a full account as to the circumstance, surrounding the initiation of the action.

Declares that, in the absence of a declaration of war, these hostilities shall not be sustained beyond 30 days without Congressional consent. Permits Congress to terminate the authorization to sustain hostilities before the expiration of the 30-day period by means of a joint resolution.

Directs that any bill or resolution, authorizing continuance or termination of military hostilities shall, if sponsored or cosponsored by one-third of the Members of the House of Congress in which it originates, be considered reported to the floor of such House no later than one day following its introduction, unless the Members otherwise determine by yeas and nays; and any such bill or resolution referred to a committee after having passed one House of Congress shall be considered reported from such committee within one day after it is referred to such committee, unless the Members of the House referring it to committee shall otherwise determine by yeas and nays.

Provides that any bill or resolution reported shall immediately become the pending business of the House to which it is reported, and shall be voted upon within three days after such report, unless such House shall otherwise determine by yeas and nays.

Declares that this Act will not effect military hostilities already undertaken before enactment.

S. 732. Mr. Randolph, et al.; 2/10/71.
Public Works.

Declares as a congressional finding that certain communities and areas in the Nation are presently burdened by substantial unemployment and underemployment resulting from the economic decline of the first half of 1970. Revises the definition of "eligible areas" under the Public Works Acceleration Act to include: (1) those areas designated by the Secretary of Commerce as "redevelopment areas" for the purpose of the Public Works and Economic Development Act of 1965 in which the Secretary of Labor finds that the annual average rate of unemployment has been at least 150 percent above the national average for one of the two preceding calendar years; (2) those standard metropolitan statistical areas in which the Secretary of Labor finds that, for at least three consecutive months of the calendar year in which such findings are made, the average rate of unemployment has been at least 150 percent above the national average for the preceding calendar year; and (3) such other areas designated by the Secretary of Labor in accordance with criteria which he shall prescribe, in which the Secretary determines from available data and in his judgment that for at least three consecutive months of the calendar year in which such determination is made, the rate of unemployment has been at least 150 percent of the rate of national unemployment (seasonally adjusted) for the calendar year preceding the year in which such determination is made.

Provides that grants-in-aid may be made under authority of this section which brings the total of all Federal contributions to a public works project up to 80 percent of the cost of such project.

Authorizes the appropriation, for the fiscal years beginning after June 30, 1970, of a sum not exceeding \$950,000,000 to be allocated by the President in accordance with the purposes of this Act. Provides that an "eligible area" under this Act shall retain such designation for so long as it continues to meet the unemployment criteria applicable to it but in no event shall such designation be terminated prior to one year after the date of designation.

S. 733. Mr. Long; 2/10/71. Judiciary.

Creates an additional judicial district of Federal courts in the State of Louisiana. [Amends 28 U.S.C. 98]

S. 734. Mr. Thurmond; 2/10/71. Armed Services.

Panama Canal Modernization Act - Directs the Governor of the Canal Zone, under the supervision of the Secretary of the Army, to prosecute the work necessary to increase the capacity and improve the operations of the Panama Canal through the adaptation of the Third Locks project (H. Doc. 210, 76th Congress) at a total cost not to exceed \$850,000,000.

Establishes the Panama Canal Advisory and Inspection Board composed of 5 members appointed by the President by and with the advice and consent of the Senate to study and review plans and designs for the Third Locks project.

Gives the Board powers to carry out the

provisions of this Act. Requires the Board to submit an annual report to the President and Congress on the progress of its work.

S. 735. Mr. Cranston; 2/10/71.
Banking, Housing and Urban Affairs.

Authorizes the insurance of loans under the National Housing Act to defray mortgage payments on homes owned by persons who are temporarily unemployed or whose income has been drastically reduced as the result of adverse economic conditions prevailing in an industry or area.

S. 736. Mr. Cranston, et al.; 2/10/71.
Interior and Insular Affairs.

Authorizes a study by the Secretary of the Interior of the feasibility and desirability of establishing a Channel Islands National Park in the State of California. Requires a report and authorizes necessary appropriations.

S. 737. Mr. Cranston, et al.; 2/10/71.
Interior and Insular Affairs.

Directs the Secretary of the Interior to establish and administer the Eugene O'Neill National Historic Site and the Las Trampas Ridge National Park in the State of California.

S. 738. Mr. Cranston; 2/10/71. Judiciary.

Waives exclusion and deportation under the Immigration and Nationality Act for conviction for the possession of marihuana, by the Attorney General, after a hearing, and prescribes the procedures to be met. [Amends 8 U.S.C. 1182(a) (23)]

S. 739. Mr. Cranston; 2/10/71. Veterans' Affairs.

Requires that all Veterans' Administration hospital and domiciliary facilities be of earthquake resisting construction. [Amends 38 U.S.C. 5001]

S. 740. Mr. Cranston, et al.; 2/10/71.
Veterans' Affairs.

Veterans' Advance Educational Assistance Allowance and Work-Study Program Act - Provides for advance payment of the GI bill educational assistance allowance at the start of a school term and prepayment of the allowance on the first of the month thereafter.

Establishes a student-veterans' work-study program whereby GI bill trainees would receive a \$250 advance work-study allowance for performing various services in Veterans' Administration programs.

Provides that servicemen may begin to use GI bill benefits for post-secondary education and training after 180 days of active duty (they may already do so for pre-college work) and makes courses required by the Small Business Administration in connection with minority enterprise loans covered.

Provides that advance payments are excluded for persons pursuing study on less than a half-time basis. (Such "less-than-half-time" veterans, by virtue of an amendment, contained in P.L. 91-219, are now eligible for a lump-sum payment in the month following the month in which the VA receives certification of enrollment.)

Provides for National Defense Education Act student loan cancellation based on military service. Permits GI bill entitlement to be applied to repay prior Federal direct or guaranteed education loans.

Accelerates the date on which GI bill allowances are increased for acquisition of